

### **REMARKS**

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Claims 1-20 are now present in this application. Claims 1, 11, and 19 are independent. By this amendment, claims 1-20 have been amended.

Reconsideration of this application, as amended, is respectfully requested.

### **Election of Species Requirement**

The Examiner has agreed with Applicants that claims 11 and 12 are generic and read on the elected species shown in Figs. 3-6. The Examiner has not agreed with Applicants that claims 8-10 and 13-18 should be examined based on their dependence of generic claims 1 and 11, respectively. Applicants have not canceled these non-elected claims since each of these claims depends, either directly or indirectly, from one of independent generic claims 1 and 11, which are believed to be allowable. Upon allowance of independent claims 1 and 11, Applicants respectfully request examination and allowance of these withdrawn claims.

### **Rejection Under 35 U.S.C. §§ 102 and 103**

Claims 1-4, 11, 12, 19, and 20 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Eiermann based on the descriptions of the figures from US Publication 2004/0261824. Claims 5-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Eiermann in view of Mandry. These rejections are respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claims 1, 19, and 20 have been amended to recite a combination of elements in a **laundry machine** including "a circulation pump for pumping circulation water discharged from a tub of the laundry machine and re-supplying it into a drum of the laundry machine." Applicants respectfully submit that this

combination of elements as set forth in independent claims 1, 11, and 19 are not disclosed or made obvious by the prior art of record, including Eiermann.

The Examiner states that Eiermann discloses a washing machine, in this case a dishwasher, including a tub 2 and a drum 16.

Applicants note that construing a dirty pot turned upside down and placed over a spray nozzle, in the absence of nothing more, cleverly construed reads on a drum. Applicants respectfully submit that while the U.S. Patent Office is entitled to broadly interpret references, they must be reasonable. However, rather than appeal the rejection to determine the “reasonableness” of such an interpretation of Eiermann, Applicants have amended the claims to make it clear that they are directed to laundry machines and that the tub and drum are components of the laundry machine. A dirty pot turned upside down and located in a dishwasher is not a drum of a laundry machine. Therefore, Eiermann does not teach or suggest the claimed laundry machines and the § 102(a) rejection must be withdrawn.

Mandry was cited for teachings unrelated to correcting the deficiencies identified above with respect to Eiermann and therefore the combination of Eiermann and Mandry fails to teach or suggest the claimed laundry machines.

With regard to dependent claims 2-7, 12, and 20, Applicants submit that these claims depend, either directly or indirectly, from one of independent claims 1, 11, and 19, and therefore are allowable for at least the same reasons as the independent claims from which they depend, as well as for their additionally recited subject matter. Reconsideration and allowance thereof are respectfully requested.

### **CONCLUSION**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot.

Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chad D. Wells, Registration No. 50,875, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: June 25, 2007

Respectfully submitted,

By Ether Chong #40,953  
James T. Eller, Jr.  
Registration No.: 39,538  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicants

CDW